# To-Be Compliance / Enforcement Process:  Public Water System Enforcement (Session 1 of 4)

**December 20, 2012  8:00 – 1:00 am**

## To Be Process Symbol  Legend


Customer symbol: indicates an internal or external customer coming to initiate or receive services.

**Process Step**
Existing process step box symbol:  indicates a step in the business process.

**Process Step**
New process step box symbol:  indicates a new step in a business process.

**OK**
Decision tree symbol: indicates Y / N options or decision in a business process.

Directional arrow: indicates the direction of a process on steps going forward, a dashed line indicates a feedback loop.
Electronic process directional arrow: indicates a process that is carried out electronically, either through an application, email, batch program, etc.

**F**
Hardcopy documents): indicates a system produced document (as output), or documents that start out as hardcopy.  An 'E' or 'F' in the symbol indicates email of fax, respectively.  Multiple symbol indicates a package of documents.

**E-Workg File**
Electronic documents) / content: indicates a system produced document (Word, Excel, PowerPoint, PDF, etc) , or documents that start out as hardcopy but are scanned and stored in the ECMS  (This could also include future digital photos, digital video, or digital recordings.)  Multiple symbols indicates a package of documents; the folder indicates a group of associated documents.

**E**  **E X**
Electronic Form: "E" indicates a standard form produced and/or posted on Intranet / Internet, or as an interoffice e-form.  An "X": in the document symbol indicates a requirement for an E-Signature.

Envelope symbol: indicates a process step carried out by mail, internal or external correspondence.  An "E: in the envelope indicates email.

Existing database symbol: indicates an existing database and / or a commercial off-the-shelf / custom developed application.

New database symbol: indicates a new database and / or a commercial off-the-shelf / custom developed application.  The type of system is noted inside or adjacent to the symbol

CD-Rom symbol: indicates electronic documents stored on / transmitted on a CD.

Vertical file symbol: indicates existing hardcopy file storage or offsite document archives.

## Attendees

| | Attendees Name | Title / Division | Phone | Email |
|---|---|---|---|---|
| 1. | Andrea Vickory | Supervisor / PWSSB Monitor. & Report. | 406.444.3358 | avickory@mt.gov |
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| 7. | Lloyd Stevens Jr. | Rule Manager, PWS Monitor. & Report. | 406.444.5360 | lstevens@mt.gov |
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| 9. | Jeff Runkel | Project Manager | 406.444.6274 | jrunkel@mt.gov |
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| 12. | Roy Hernandez | Project Manager, ThirdWave Corp. | 310.914.0186 | rhernandez@thirdwavecorp.com |

## Future State Solutions Legend

**Management / Policy Solutions**

These solutions entail new management policies and practices that are required as a result of introducing new information technology solutions and / or business process changes. Common examples include policy statements, organizational change, Change Management, Service Level Agreements, etc.

**Business Process / Operational Solutions**

These solutions entail the introduction of new business process steps – or the elimination of existing business process steps, for Business Process Improvement, or as a result of introducing new Information Technology solutions identified in the Rapid Workflow™ workshops.  Business Process / Operational solutions also include business process improvement opportunities identified as part of the Rapid Workflow® business process analysis workshops that do not have any direct relationship to Information Technology.

**Information Technology Solutions**

These solutions entail a variety of solutions, including the:
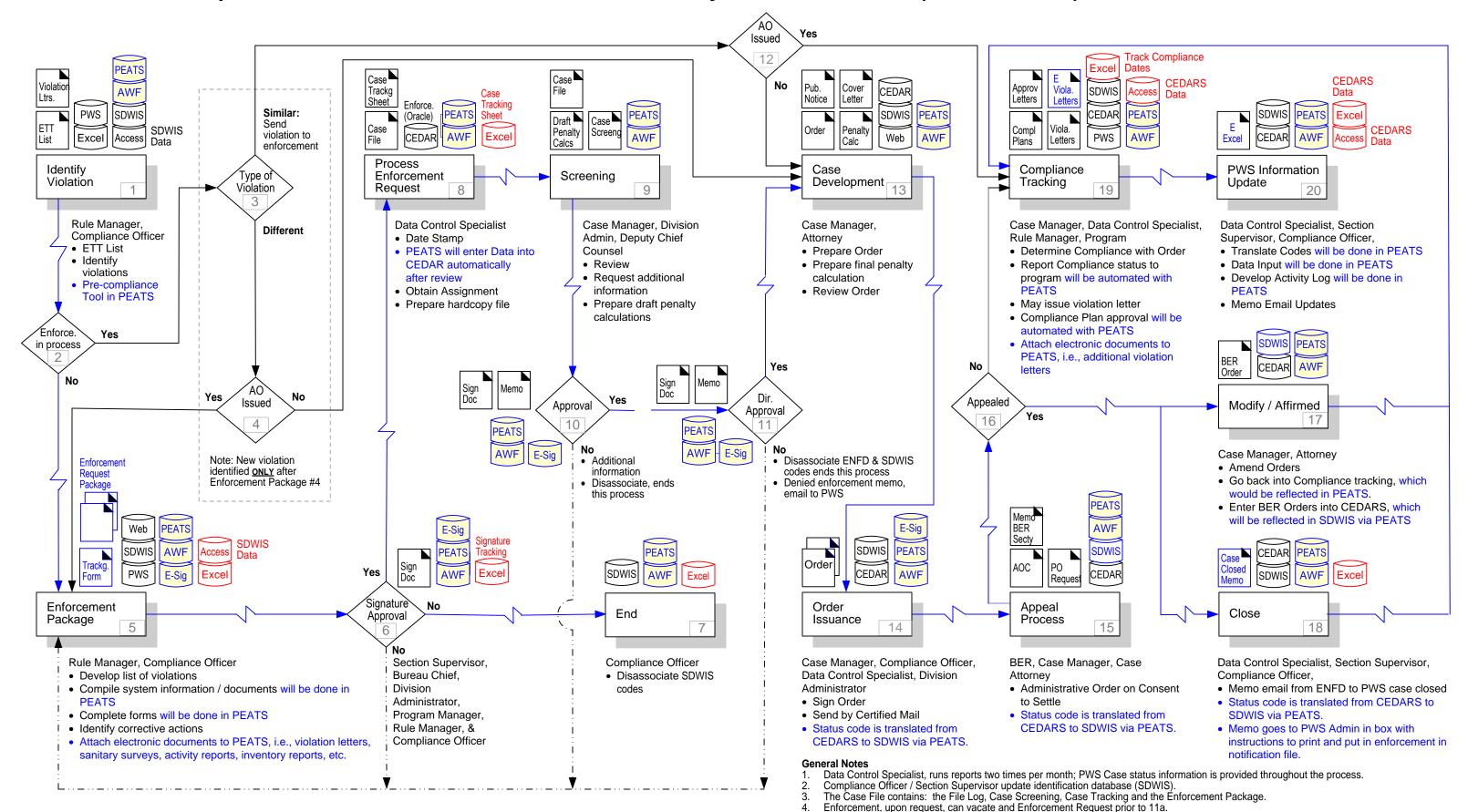- Introduction of new Information Technologies
- Replacement of existing systems with new technologies
- Enhancement of existing Information Technologies / Systems to compliment new management policies.
- Enhancement of existing Information Technologies as identified in the Rapid Workflow™ workshops as Business Process Improvement opportunities.
- Integration of proposed technologies with existing technologies

**Business Process Reengineering Services: Enforcement and Public Water and Subdivisions Programs**
State of Montana, Department of Environmental Quality

January 9, 2013

# To-Be Compliance / Enforcement Process:  Public Water System Enforcement (Session 1 of 4)

**AO Issued** — 12 — Yes / No

**Violation Ltrs.** | PEATS | AWF
**ETT List** | PWS Excel | SDWIS Access | SDWIS Data

**Case Trackg Sheet** | Enforce. (Oracle) | PEATS | AWF | Case Tracking Sheet (Excel)
**Case File** | CEDAR

**Case File** | PEATS | AWF
**Draft Penalty Calcs** | Case Screeng

**Pub. Notice** | Cover Letter | CEDAR | SDWIS | PEATS | AWF
**Order** | Penalty Calc | Web

**Approv Letters** | E Viola. Letters | Excel — Track Compliance Dates | SDWIS | CEDAR | PEATS | AWF — Access — CEDARS Data
**Compl Plans** | Viola. Letters | PWS

**E Excel** | SDWIS | CEDAR | PEATS | AWF — CEDARS Data / Excel / Access — CEDARS Data

**1 — Identify Violation**

**3 — Type of Violation** — Similar: Send violation to enforcement — Different

**8 — Process Enforcement Request**

**9 — Screening**

**13 — Case Development**

**19 — Compliance Tracking**

**20 — PWS Information Update**

Rule Manager, Compliance Officer
• ETT List
• Identify violations
• Pre-compliance Tool in PEATS

Data Control Specialist
• Date Stamp
• PEATS will enter Data into CEDAR automatically after review
• Obtain Assignment
• Prepare hardcopy file

Case Manager, Division Admin, Deputy Chief Counsel
• Review
• Request additional information
• Prepare draft penalty calculations

Case Manager, Attorney
• Prepare Order
• Prepare final penalty calculation
• Review Order

Case Manager, Data Control Specialist, Rule Manager, Program
• Determine Compliance with Order
• Report Compliance status to program will be automated with PEATS
• May issue violation letter
• Compliance Plan approval will be automated with PEATS
• Attach electronic documents to PEATS, i.e., additional violation letters

Data Control Specialist, Section Supervisor, Compliance Officer,
• Translate Codes will be done in PEATS
• Data Input will be done in PEATS
• Develop Activity Log will be done in PEATS
• Memo Email Updates

**2 — Enforce. in process** — Yes / No

**4 — AO Issued** — Yes / No

Note: New violation identified **ONLY** after Enforcement Package #4

**Sign Doc** | **Memo** | PEATS | AWF | E-Sig

**10 — Approval** — Yes / No
• Additional information
• Disassociate, ends this process

**Sign Doc** | **Memo** | PEATS | AWF | E-Sig

**11 — Dir. Approval** — Yes / No
• Disassociate ENFD & SDWIS codes ends this process
• Denied enforcement memo, email to PWS

**16 — Appealed** — No / Yes

**BER Order** | SDWIS | CEDAR | PEATS | AWF

**17 — Modify / Affirmed**

Case Manager, Attorney
• Amend Orders
• Go back into Compliance tracking, which would be reflected in PEATS.
• Enter BER Orders into CEDARS, which will be reflected in SDWIS via PEATS.

Enforcement Request Package
**Trackg. Form** | Web | PEATS | SDWIS | AWF | Access — SDWIS Data / PWS | E-Sig | Excel

**5 — Enforcement Package**

Rule Manager, Compliance Officer
• Develop list of violations
• Compile system information / documents will be done in PEATS
• Complete forms will be done in PEATS
• Identify corrective actions
• Attach electronic documents to PEATS, i.e., violation letters, sanitary surveys, activity reports, inventory reports, etc.

**E-Sig** | **PEATS** | **AWF** | Signature Tracking (Excel)

**Sign Doc** | SDWIS | PEATS | AWF | Excel

**6 — Signature Approval** — Yes / No

Section Supervisor, Bureau Chief, Division Administrator, Program Manager, Rule Manager, & Compliance Officer

**7 — End**

Compliance Officer
• Disassociate SDWIS codes

**Order** | SDWIS | CEDAR | E-Sig | PEATS | AWF

**14 — Order Issuance**

Case Manager, Compliance Officer, Data Control Specialist, Division Administrator
• Sign Order
• Send by Certified Mail
• Status code is translated from CEDARS to SDWIS via PEATS.

**Memo BER Secty** | AOC | PO Request | PEATS | AWF | SDWIS | CEDAR

**15 — Appeal Process**

BER, Case Manager, Case Attorney
• Administrative Order on Consent to Settle
• Status code is translated from CEDARS to SDWIS via PEATS.

**Case Closed Memo** | CEDAR | SDWIS | PEATS | AWF | Excel

**18 — Close**

Data Control Specialist, Section Supervisor, Compliance Officer,
• Memo email from ENFD to PWS case closed
• Status code is translated from CEDARS to SDWIS via PEATS.
• Memo goes to PWS Admin in box with instructions to print and put in enforcement in notification file.

**General Notes**
1. Data Control Specialist, runs reports two times per month; PWS Case status information is provided throughout the process.
2. Compliance Officer / Section Supervisor update identification database (SDWIS).
3. The Case File contains:  the File Log, Case Screening, Case Tracking and the Enforcement Package.
4. Enforcement, upon request, can vacate and Enforcement Request prior to 11a.

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# To-Be Compliance / Enforcement Process:  Public Water System Enforcement (Session 1 of 4)

## Management Solutions

M1   Provide training on PEATS to Enforcement and PWS staff.

M2   Develop end user training documentation.

M3   Develop Standard Operating Procedures for the future state business process.

M4   Implement a QA/QC activities for accurate Violation Letters.  Administrative staff and peer review of Violation Letters for accuracy.  Make sure the subject, addressee, dates, and body match the subject.

## Process Solutions

P1   As-Is Step 1, Identify Violation: will use the Pre-compliance Tool in PEATS.

P2   As-Is Step 4, Enforcement Package: compiled system information, documents and forms will be done in PEATS. Electronic documents will be attachments in PEATS, i.e., violation letters, sanitary surveys, activity reports, inventory reports, etc.

P3   As-Is Step 5, Signature Approval: the use of Excel spreadsheets for signature tracking will be discontinued and be replaced with PEATS and Automated Workflow.

P4   As-Is Step 6, End: the use of Excel spreadsheets for signature tracking will be discontinued and be replaced with PEATS and E-Signatures.

P5   As-Is Step 7, Process Enforcement Request:  the use of Excel spreadsheets to produce and manage Case Tracking Sheets will be discontinued.  PEATS will enter Data into CEDAR automatically after review.

P7   As-Is Step 15, Close:  The use of Excel spreadsheets will be discontinued.

P8   As-Is Step 16, Compliance Tracking:
  "   Reporting the Compliance status to the program will no longer be done manually, it will be automated with PEATS / AWF.
  "   Compliance Plan approval will be automated with PEATS.
  "   The use of Excel spreadsheets and staff time to track compliance dates will be discontinued and be automated by PEATS / AWF.
  "   The use of Access and staff time to produce DEARS date will be discontinued and be automated by PEATS.
  "   Electronic documents will be attached to PEATS.

P9   As-Is Step 20, PWS Information Update:  The use of Excel spreadsheets and Access to produce CEDARS data will be discontinued and be automated by PEATS / AWF.

## Information Technology Solutions

T1   Implemental PEATS, provide the following features and functions:
- Providing a bridge to automatically transfer data between PWS, PEATS, SDWIS and  CEDARS in a bi-directional manner.
- Track systems in violation
- Modification to existing Enforcement Case (PEATS.001.022)
  a. Ability to modify an existing Enforcement Case when a Water System receives a new violation that is similar to the existing violation
    i. Enforcement Case Manager triggers a confirmation that it has been accepted and included
    ii. New violation can be automatically added if the determination date is less than the order date or between the order date +30 days
    iii. If the new violation's determination date is greater than the order date +30 days then route to escalation path.
- Determine compliance status in PWS prior to the EPA / ETT lists
  a. Must develop tool to accomplish the following
    i. Prioritize public water systems for enforcement response. It assigns points for each unaddressed violation at a PWS in the last 5 years, which are added to create a total score for each PWS using the formula: Sum of $(S1 + S2 + S3 + ...) + n$ where "S" is the severity factor for each unaddressed violation and "n" is a time factor applied to the water system.
    ii. Provide an alternate formula should include factors for Population Served and System Type. This alternate formula will be evaluated during the pilot implementation period in order to determine if it results in a better prioritization of water systems for enforcement response.  It consists of the following formula:  $Sum( S * P * T ) + n$, where the factors of Severity, Population and System Type are multiplied for each violation, those values for each violation are then summed, and an "n" time factor is added to achieve the total system score.
- Track systems needing enforcement
- Escalation notice feature EPA / ETT priority system annotation
  a. Must be able to combine enforcement annotation with PWS and denote which is which.
    i. Example: PWSB comments back G:\PWSB\PWS\section\EPA_ETT_Annotate\ETT-SNCListsPastAnnotated
    ii. Ability to annotate system status of enforcement action codes, enforcement action date and comments
- Automate the Enforcement Request Forms, pulling data from PWS and SDWIS
- Automate the extraction of data from the Secretary of State website, registered agent and registered entity (business name), for the enforcement request form,
- Provide migration of PWS case data in enforcement.
- Provide a feature for auto translation of between databases, i.e. PWS, SDWIS and CEDARS enforcement.

- Update templates:
  - Enforcement Request template
  - PWS Tracking Sheet
- Automate extraction of TRS, for the Enforcement Request Form
- Reports:  Canned reports: (Refer to attachment – RTM High Level Requirements.)
- Queries; Extracted to Excel spreadsheet. (Refer to attachment – RTM High Level Requirements.)
- Use Project Management Development Life Cycle best practices and DEQ standard methodologies.

T2   Implement Automated Workflow providing the following features and functions:
- Ability track each step and action in the process
- Route documents electronically
- Signature approval and reasons for rejection routed back
- Kick-off reports
- Assign or escalate "acting" signatures
- Run various status reports
- Report on any of the Automated Workflow headers/shared work list activities, i.e., items being processed, initiation/completion dates, participants, completions dates, etc.
- Compliance Plan: Dates received by Enforcement/PWS, reviewed, returned, approved, responded
- Delegation, Review Cycles, Reassignment, Parallel Processing, User-based Work Assignment, alerts and Attachments
- Link documents, content and folders to specific business processes
- Email Notification providing user work assignments and status changes of the workflows being tracked
- Enable notifications to process the assigned work and / or view its current status.
- Integrated with PEATS and its functionality
- Browser-based architecture, eliminating the administrative burden associated with "thick client" deployment of solutions including installation, configuration, and administration
- Web-based workflow and process management, and the ability to manage business processes via a simple GUI-based browser interface on the client
- Allow users to query, participate, and administer workflows easily using a GUI
- XML-based process definitions
(Refer to attachment – RTM High Level Requirements, for reference.)

T3   Provide E-Signature capability.
Implement an E-Signature solution for E-Forms used with or without automated workflow processes.  The business E-Signature solution will provide the following minimum functionality:
- Be a seamless component of PEATS and the Automated Workflow component
- Work seamlessly with E-Forms
- Ensure the authenticity, integrity, and non-repudiation of its electronic documents;
- Meet the State of Montana's requirements for authenticated signatures;

T4   SDWIS SIA code would trigger violation letters.